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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,874	11/30/2000	David I. Poisner	219.38701X00 (9341)	9731

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EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,874

Applicant(s)

POISNER, DAVID I.

Examiner

Lun-See Lao

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. Claims 1-33 of U.S. application 09/725,874 filed on 11/30/2004 are presented for examination.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 8, 9-13, 15-20, 23-28 and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwaoka (US PAT. 6,449,519).

Consider claims 1 and 24 Kuwaoka teaches a sound generation arrangement for a computing system comprising:

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a predetermined sound generation arrangement (see fig.3, 11 Harmonic generation) to generate sound according to primary sound (21) instructions implemented in the computing system;

a monitor arrangement (22-24,28) to monitor for predetermined evidence of occurrence of ancillary sound instructions (25a) which differ from said primary sound instructions (21); and

an ancillary waveform library (25) arrangement containing predetermined ancillary waveforms, and adapted to use said predetermined ancillary waveforms to emulate predetermined ancillary sounds (25a) responsive to an ancillary sound instruction as monitored by said monitor arrangement (see col.8 line 27-64).

As to claim 9, there is the chipset claim corresponding to apparatus claim 1. See previous apparatus claim 1 rejection.

As to claim 16, there is the system claim corresponding to apparatus claim 1. See previous apparatus claim 1 rejection.

Consider claims 2-3 and 25-26 Kuwaoka teaches a sound generation (see fig.3, 11) arrangement of the monitor arrangement is a snoop arrangement (23-24, 27-28) adapted to snoop a predetermined communication path for occurrence of said ancillary sound instructions and a sound generation arrangement (see fig.3, 11) of the monitor arrangement is a snoop arrangement (23-24, 27-28) adapted to snoop a predetermined storage location for occurrence of said ancillary sound instructions (see col.10 lines 21-27).

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As to claims 10-11, these are the chipset claim of claim 2-3 and thus note the rejections of claims 2-3, respective.

As to claims 17-18, these are the system claim of claim 2-3 and thus note the rejections of claims 2-3, respective.

Consider claims 4-5 and 27-28, Kuwaoka teaches a sound generation arrangement of the monitor arrangement is arranged to monitor (see fig.3,27) a state of an ancillary sound generation arrangement (25) as indication of occurrence of said ancillary sound instructions (col.8 line 27-64), and a sound generation arrangement the monitor arrangement (see fig.3, 24, 27-28) is responsive to an interrupt as evidence of occurrence of said ancillary sound instructions (col.8 line 27-64).

As to claim 13, there is the chipset claim corresponding to apparatus claim 5. See previous apparatus claim 5 rejection.

As to claims 19-20, these are the system claim of claim 4-5 and thus note the rejections of claims 4-5, respective.

Consider claims 8 and 31, Kuwaoka teaches a sound generation arrangement (see fig.3, 11) of the sound instructions are instructions in accordance with a contemporary sound specification, whereas said ancillary sound instructions are instructions with a legacy sound specification (25 and col. 33 line 55-col.34 line 15).

As to claim 15, there is the chipset claim corresponding to apparatus claim 8. See previous apparatus claim 8 rejection.

As to claim 23, there is the chipset claim corresponding to apparatus claim 8. See previous apparatus claim 8 rejection.

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Consider claim 12 Kuwaoka teaches the monitor arrangement (see fig.3, 25) is arranged to monitor a state of an ancillary chipset (memories 25a to 25i) indication of occurrence of said ancillary sound instructions (see col.10 line 27-51).

Consider claim 32, Kuwaoka teaches a sound generation arrangement for a computing system, comprising:

a snoop arrangement (see fig.3, 28, 25i) to snoop for indication of occurrence of a predetermined legacy sound instruction (25a); and

a legacy waveform library arrangement (25) containing predetermined legacy waveforms, and adapted to use said predetermined legacy waveforms to emulate predetermined legacy sounds (25) responsive to a snooped legacy sound instruction as snooped by said snoop arrangement (25i, 28 and see col.8 line 28-col.9 line 17).

Consider claim 33 Kuwaoka teaches a sound generation arrangement for a computing system, comprising:

a monitor arrangement (see fig.3 23-24, 27-30) to monitor for indication of occurrence of a predetermined legacy sound instruction (25a); and

a legacy waveform library arrangement (25) containing predetermined legacy waveforms, and adapted to use said predetermined legacy waveforms (25a-25h) to emulate predetermined legacy sounds (25) responsive to a legacy sound instruction indicated by said monitor arrangement (23-24 and 27-30 and see col.8 line 28-col.9 line 17).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-7, 14, 21-22 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwaoka (US PAT. 6,449,519) in view of Barbore (US PAT. 6,647,451).

Consider claims 6-7 and 29-30, Kuwaoka does not clearly teach a sound generation arrangement is adapted to operation in accordance with an Audio Codec (AC) (97 specification, and wherein said ancillary sound instruction is a pre-Ac '97 sound instruction, and a sound generation arrangement of the sound generation arrangement is provided at least partially as part of a chipset.

However, Barmore teaches a sound generation arrangement is adapted to operation in accordance with an Audio Codec (AC) '97 specification (see fig.6, 400), and wherein said ancillary sound instruction is a pre-AC' 97 sound instruction (410), and a sound generation arrangement of the sound generation arrangement is provided at least partially as part of a chipset (130) (see col.4 line 43-col.5 line 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Barmora into Kuwaoka to provide less space and cheaper for circuit board.

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As to claim 14, there is the chipset claim corresponding to apparatus claim 6. See previous apparatus claim 6 rejection.

As to claims 21-22, these are the system claim of claim 4-5 and thus note the rejections of claims 6-7, respective.

Conclusion

7 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Teranor (US PAT 5,982,902) and Hendrickson (US PAT. 6,510,215) are recited to show other related arrangements to virtualize ancillary sound configuration.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (703) 305-2259 The examiner can normally be reached on Monday-Friday from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (703) 306-0377.

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Lao, Lun-See
Patent Examiner
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PRIMARY EXAMINER